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**STATE OF IOWA**

**Senate Journal**

**MONDAY, MARCH 10, 2003**

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# JOURNAL OF THE SENATE

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FIFTY-SEVENTH CALENDAR DAY  
THIRTY-THIRD SESSION DAY

Senate Chamber  
Des Moines, Iowa, Monday, March 10, 2003

The Senate met in regular session at 1:07 p.m., President Kramer presiding.

Prayer was offered by the Reverend Gene Koth, retired minister of Walnut Hills Methodist Church in Urbandale, Iowa. He was the guest of Senator Kramer.

## PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senate Page Kristy Palmer.

The Journal of Thursday, March 6, 2003, was approved.

## HOUSE MESSAGES RECEIVED AND CONSIDERED

The following messages were received from the Chief Clerk of the House:

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on March 6, 2003, **passed** the following bill in which the concurrence of the House was asked:

**[Senate File 127](#)**, a bill for an act establishing a special breast cancer awareness motor vehicle registration plate and appropriating fees from such plates for breast cancer screening.

ALSO: That the House has on March 6, 2003, **passed** the following bill in which the concurrence of the Senate is asked:

**[House File 387](#)**, a bill for an act relating to mental health and developmental disabilities by revising life safety requirements for intermediate care facilities for persons with mental retardation,

expanding an exemption to health care licensing requirements for certain residential programs that receive funding under a medical assistance home and community-based services waiver and approval from the department of human services, and revising membership requirements for the mental health and developmental disabilities commission, and providing an effective date.

Read first time and referred to committee on **Human Resources**.

#### SPECIAL GUESTS

Senator Larson introduced to the Senate chamber Bill and Ramona Lee. Mr. Lee is an artist from Ames displaying his watercolors in the rotunda.

The Senate rose and expressed its welcome.

The Chair welcomed to the Senate chamber the Honorable William "Bill" Fink, former member of the Senate from Warren County.

The Senate rose and expressed its welcome.

#### ADJOURNMENT

On motion of Senator Iverson, the Senate adjourned at 1:35 p.m. until 8:30 a.m. Tuesday, March 11, 2003.

**APPENDIX****COMMUNICATION RECEIVED**

The following communication was received in the office of the Secretary of the Senate and placed on file in the Legislative Service Bureau:

March 10, 2003

**STATE APPEAL BOARD**

Report of claims against the State of Iowa during February and March 2003.

**CERTIFICATE OF RECOGNITION**

The Secretary of the Senate issued the following certificate of recognition:

Richard and Betty Thompson, Clarion — For celebrating your 50th wedding anniversary. Senator Iverson (3/10/03).

**REPORTS OF COMMITTEE MEETINGS****APPROPRIATIONS SUBCOMMITTEE ON HEALTH AND HUMAN SERVICES**

**Convened:** March 6, 2003, 3:15 p.m.

**Members Present:** Hatch, Ranking Member; Bolkcom and Veenstra.

**Members Absent:** Tinsman, Chair; and Johnson, Vice Chair (both excused).

**Committee Business:** Presentations by Department of Public Health, University of Iowa, and Commission of Veterans Affairs.

**Adjourned:** 5:15 p.m.

**AGRICULTURE**

**Convened:** March 10, 2003, 4:05 p.m.

**Members Present:** Behn, Chair; Hosch, Vice Chair; Fraise, Ranking Member; Angelo, Black, Gaskill, Houser, Johnson, Kibbie, Ragan, Seng, Veenstra, and Zieman.

**Members Absent:** Courtney and Putney (both excused).

**Committee Business:** Approved [SSB 1144](#).

**Adjourned:** 4:25 p.m.

#### LOCAL GOVERNMENT

**Convened:** March 10, 2003, 1:40 p.m.

**Members Present:** Gaskill, Chair; Miller, Vice Chair; Quirnbach, Ranking Member; Angelo, Hatch, Hosch, Houser, Kreiman, McCoy, Rehberg, Seymour, Stewart, and Wieck.

**Members Absent:** None.

**Committee Business:** Passed [SF 39](#) and approved [SSB 1090](#).

**Adjourned:** 2:05 p.m.

#### STATE GOVERNMENT

**Convened:** March 10, 2003, 1:45 p.m.

**Members Present:** Zieman, Chair; Sievers, Vice Chair; Kibbie, Ranking Member; Black, Connolly, Courtney, Dearden, Drake, Johnson, Lamberti, Ragan, Schuerer, Shull, Tinsman, and Veenstra.

**Members Absent:** None.

**Committee Business:** Passed [SF 189](#) and approved [SSB 1113](#).

**Adjourned:** 2:40 p.m.

#### INTRODUCTION OF RESOLUTION

[Senate Resolution 21](#), by Bolkcom, a resolution requesting the Legislative Council to authorize a legislative interim study of debt collection practices provisions of the Iowa Consumer Credit Code.

Read first time under Rule 28 and referred to committee on **Rules and Administration**.

#### INTRODUCTION OF BILLS

[Senate File 324](#), by Hosch, Drake, and Kibbie, a bill for an act establishing a veterans trust fund under the control of the commission of veterans affairs and increasing the admission fee for racing and gaming establishments for purposes of the veterans trust fund.

Read first time under Rule 28 and referred to committee on **State Government**.

[Senate File 325](#), by Dotzler, a bill for an act legalizing the sale and use of fireworks, providing for exceptions and limitations on sales and use, and providing penalties.

Read first time under Rule 28 and referred to committee on **State Government**.

[Senate File 326](#), by Dotzler, a bill for an act providing for a food establishment reinspection fee and making a penalty applicable.

Read first time under Rule 28 and referred to committee on **Ways and Means**.

[Senate File 327](#), by committee on State Government, a bill for an act providing for gambling on excursion boats and at racetracks, by eliminating the cruise requirement for gambling boats, providing for gambling games at racetrack enclosures and for off-boat facilities, providing for the issuance of additional excursion boat gambling licenses, and relating to the tax on the adjusted gross receipts from gambling games.

Read first time under Rule 28 and **placed on calendar**.

[Senate File 328](#), by Bolkcom, Dvorsky, Horn, Kibbie, Fraise, Stewart, Lundby, Seymour, Ziemann, Houser, Hatch, and Dotzler, a bill for an act relating to liability of free health clinics participating in the volunteer health care provider program.

Read first time under Rule 28 and referred to committee on **Human Resources**.

[Senate File 329](#), by Dotzler, a bill for an act relating to the licensure of persons owning or operating pet cemeteries and pet crematoriums, establishing standards and fees, making an appropriation, and providing for criminal penalties.

Read first time under Rule 28 and referred to committee on **Commerce**.

[Senate File 330](#), by Courtney, a bill for an act relating to courthouse security, and providing for a fee.

Read first time under Rule 28 and referred to committee on **Judiciary**.

[Senate File 331](#), by Dvorsky, a bill for an act relating to the applicability of an intermediate criminal sanctions program for persons on parole or work release.

Read first time under Rule 28 and referred to committee on **Judiciary**.

#### STUDY BILLS RECEIVED

[SSB 1153](#)      **Appropriations**

Relating to endow Iowa seed grants and endow Iowa tax credits and including effective and retroactive applicability dates.

[SSB 1154](#)      **Appropriations**

Relating to and making appropriations involving state government, including provisions affecting agriculture and natural resources.

[SSB 1155](#)      **Business and Labor Relations**

Concerning regulatory and statutory requirements impacting business relating to liability reform, unemployment compensation benefits eligibility and employer contributions, workers' compensation, occupational safety and health administration training and compliance requirements, financial services and restrictions on property rights, environmental regulatory requirements, and public project contractor requirements.

[SSB 1156](#)      **Ways and Means**

Relating to the state sales and use tax exemption for the use of sorbents in processing.

**SUBCOMMITTEE ASSIGNMENTS****[Senate File 260](#)**

LOCAL GOVERNMENT: Houser, Chair; Seymour and Stewart

**[Senate File 281](#)**

LOCAL GOVERNMENT: Miller, Chair; Rehberg and Stewart

**[Senate File 288](#)**

AGRICULTURE: Houser, Chair; Johnson and Seng

**[Senate File 301](#)**

TRANSPORTATION: Drake, Chair; Fraise and Putney

**[Senate File 302](#)**

HUMAN RESOURCES: Boettger, Chair; Kreiman and Tinsman

**[Senate File 303](#)**

HUMAN RESOURCES: Kreiman, Chair; Tinsman and Veenstra

**[Senate File 306](#)**

LOCAL GOVERNMENT: Miller, Chair; Hatch and Wieck

**[Senate File 308](#)**

LOCAL GOVERNMENT: Miller, Chair; Hosch and Kreiman

**[Senate File 310](#)**

HUMAN RESOURCES: Veenstra, Chair; Boettger and Holveck

**[Senate File 312](#)**

HUMAN RESOURCES: Veenstra, Chair; Horn and Schuerer

**[Senate File 321](#)**

HUMAN RESOURCES: Tinsman, Chair; Kreiman and Ragan

**[Senate File 328](#)**

HUMAN RESOURCES: Seymour, Chair; Horn and Veenstra

[House File 387](#)

HUMAN RESOURCES: Tinsman, Chair; Holveck and Hosch

[SSB 1153](#)

APPROPRIATIONS: Kramer, Chair; Dvorsky and Lamberti

[SSB 1154](#)

APPROPRIATIONS: Gaskill, Chair; Black and Lamberti

[SSB 1155](#)

BUSINESS AND LABOR RELATIONS: Wieck, Chair; Horn and Schuerer

[SSB 1156](#)

WAYS AND MEANS: Shull, Chair; Dotzler and McKibben

**COMMITTEE REPORT**

**STATE GOVERNMENT**

**Final Bill Action:** \*[SENATE FILE 327](#) (formerly [SF 199](#)), a bill for an act providing for gambling on excursion boats and at racetracks, by eliminating the cruise requirement for gambling boats, providing for gambling games at racetrack enclosures and for off-boat facilities, providing for the issuance of additional excursion boat gambling licenses, and relating to the tax on the adjusted gross receipts from gambling games.

**Recommendation:** APPROVED COMMITTEE BILL.

**Final Vote:** Ayes, 10: Zieman, Sievers, Kibbie, Black, Connolly, Courtney, Dearden, Lamberti, Ragan, and Shull. Nays, 4: Drake, Johnson, Schuerer, and Veenstra. Absent, 1: Tinsman.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

\*Pursuant to Senate Rule 40, the Legislative Service Bureau reported nonsubstantive changes to the members of the State Government Committee on [Senate File 327](#), and they were attached to the committee report.

**BILL ENROLLED, SIGNED, AND SENT TO GOVERNOR**

The Secretary of the Senate submitted the following report:

MADAM PRESIDENT: The Secretary of the Senate respectfully reports that the following bill has been enrolled, signed by the President of the Senate and the Speaker

of the House, and presented to the Governor for his approval on this 10th day of March, 2003:

[Senate File 127.](#)

MICHAEL E. MARSHALL  
Secretary of the Senate

#### AMENDMENTS FILED

|                        |                          |                    |
|------------------------|--------------------------|--------------------|
| <a href="#">S-3029</a> | <a href="#">S.F. 63</a>  | Richard F. Drake   |
| <a href="#">S-3030</a> | <a href="#">S.F. 270</a> | Thomas G. Courtney |